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9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 PLAYERS NETWORK, INC.,

12 Plaintiff,

13 vs.

14 COMCAST CORPORATION, et al.,

15 Defendants.
16

Case No. 2:14-cv-00238-GMN-GWF

**STIPULATION AND ORDER
ADJOURNING THE FIRST PHASE
OF DISCOVERY AND INTERIM
STATUS REPORT DEADLINE**

17 Plaintiff Players Network, Inc. ("Players Network") and defendants Comcast
18 Corporation, Comcast Programming Development, Inc., and Comcast Cable
19 Communications, LLC (collectively, "Comcast Defendants"), through their respective
20 counsel, hereby stipulate and agree as follows:

- 21 1. Players Network filed its Amended Complaint on January 20, 2014,
22 asserting various tort and contract claims against Comcast Defendants.
23 *See* Amended Complaint, Exhibit A to Notice of Removal [Doc. 1].
24 2. Comcast Defendants removed the case from state court on February 13,
25 2014 [Doc. 1], and filed their Motion to Dismiss on March 13, 2014 [Doc.
26 12], seeking dismissal of each of Players Network's claims.

3. Comcast Defendants thereafter filed a Motion to Stay Discovery [Doc. 19] pending a ruling on their Motion to Dismiss, which was denied by Minute Order dated July 21, 2014 [Doc. 25].
4. The parties thereafter submitted a Joint Discovery Plan, which was approved and entered pursuant to an August 15, 2014 Scheduling Order [Doc. 31], wherein the parties agreed to conduct discovery on Players Network's claims in phases.
5. The first phase of discovery began upon entry of the Scheduling Order and was limited to "the formation of the subject contract, including its scope, intent and purpose, and the parties' performance thereunder, including any alleged breach by any party."
6. Pursuant to an Amended Scheduling Order dated December 4, 2014 [Doc. 35], discovery on these issues was to expire on February 24, 2015 or upon the entry of an order on Comcast Defendants' Motion to Dismiss, whichever occurred first.
7. The Court entered its Order on Comcast Defendants' Motion to Dismiss on February 2, 2015 [Doc. 36], *inter alia*, dismissing Players Network's breach of contract claim, but granting leave to amend this claim and three others by March 5, 2015. The February 2, 2015 Order terminated the first phase of discovery.
8. It is submitted that before the parties will be able to propose a plan for the second phase of discovery, Players Network needs to file its Second Amended Complaint and Comcast Defendants need to have an opportunity to review and consider the nature and scope of that complaint.
9. The parties therefore stipulate and agree to submit a joint discovery plan for the second phase of discovery within 14 days of service of Players Network's Second Amended Complaint. The parties further propose to extend the February 24, 2015 deadline for the interim status report to a

date to be included in the joint discovery plan for the second phase of discovery.

10. The parties further stipulate and agree that all discovery in phase one which has not yet been completed, including all currently scheduled depositions, shall be adjourned until Players Network files its Second Amended Complaint and the Court enters a scheduling order for the second phase of discovery.

IT IS SO STIPULATED this 5th day of February, 2015.

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IT IS SO ORDERED:



GEORGE FOLEY, JR.
 United States Magistrate Judge

Dated: February 6, 2015

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